Indian and Northern Affairs Canada | Affaires indiennes et du Nord Canada

Spring 2005

NWT Plain Talk

On Land and Self-government

Minister of State for Northern Development, Ethel Blondin-Andrew comments on the Tłı̨chǫ Act receiving 3rd Reading in the Senate. DIAND Minister Andy Scott, Ted Blondin, James Wah-Shee, Senator Gerry St. Germaine, Senator Nick Sibbeston, Harriet Paul, and John B. Zoe circle around her.

Tłı̨chǫ's Journey through the Legislative Process

The parliament buildings in Ottawa are a recognizable Canadian landmark, but what goes on inside may not be so well known. A look back at how the Tłı̨chǫ Act was recently passed gives some insight into what really goes on in those buildings, and the process of making new laws in the House of Commons and the Senate of Canada.

One year ago this spring, on March 31, 2004, the *Tłı̨chǫ Act* was introduced into the House of Commons. Unfortunately, it died on the Order Paper when the writ was dropped for the June 2004 election. Basically, that meant the legislation stopped in its tracks and had to be started all over again under a new government and Parliament. The *Tłı̨chǫ Act* was re-introduced into the House of Commons on October 19, 2004 and the legislative process began again.

Introduction and First Reading

This process begins with the Introduction and First Reading, which are formal stages that take place at the same time. It is during this stage that a Bill is given a number, printed and distributed. In the case of the *Tłı̨chǫ Act*, it was given the number Bill C-14.

A Bill is a draft of a legislative proposal which is introduced into the House of Commons. When it has been passed by the House of Commons and the Senate, and assented to by the Governor General, it becomes a law.

Second Reading

The Second Reading stage includes formal debates amongst the Members of Parliament about the basic principles of the Bill.

Committee

When second reading debates in the House of Commons were complete, Bill C-14 was referred to its Committee stage. At this stage, witnesses are interviewed and a clause-by-clause analysis of the Bill is done. The Committee is made up of various MPs representing each of the Parties. Witnesses - such as DIAND Minister Andy Scott, NWT Premier Joe Handley, the Tłı̨chǫ negotiating team, and others who have a direct interest in the Bill - made presentations and were interviewed.

The clause-by-clause analysis is a thorough examination of a Bill, and it is

continued on page 4

The purpose of our newsletter is to keep you informed on the progress of land and self-government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of the Department of Indian Affairs and Northern Development (DIAND), we hope you will find our newsletter informative and easy to read.

In this issue...

A Piece of the Puzzle
Profile - Kevan Flood
The Tulita Signing
You were asking?
Our Vision
On the Web
Got something to tell us?

A Piece of the Puzzle

Self-Government Community Lands Working Group

On June 25, 1994, the Sahtu Dene and Métis Land Claim Settlement Act came into effect and established Sahtu Dene and Métis title to 41,437 square kilometres of land in the Northwest Territories with surface rights and an additional 1,813 square kilometres of subsurface rights. The Act also guaranteed the Sahtu Dene and Métis the opportunity to negotiate self-government agreements on a community-by-community basis. So far, an Agreement-in-Principle on Self-Government has been signed for the community of Déline, and in Tulita a Framework Agreement on Self-Government was recently signed.

At times, the process of self-government may seem like a giant puzzle, where each step is only one piece among many that need to fit together for self-government to be complete. Take, for example, the issue of land transfers. In order for self-government to be finalized, all of the community lands that have been controlled by the municipal governments, the Government of the Northwest Territories or the federal governments must be reviewed. This is to determine which lands must be retained by the governments for program and services needs or for environmental reasons, and which lands will be transferred to the new government of the community.

The community of Déline has started the process of identifying the lands to be transferred. First a working group was established with three key members: Clarissa Richarson representing DIAND, Gerald Read representing the GNWT, and John Bailey representing Déline. With the work plan in place, an inventory of Déline's land was collected.

During the second step of the process, the Federal and GNWT representatives of the working group wrote letters requesting each government department identify lands in which they had an interest, including lands that should be retained for program and services needs or for environmental reasons.

Once all of the lands are accounted for, the land lots are listed into four categories - federal, GNWT, municipal, or private. All of the municipal land will be transferred to the community government, and all of the federal and GNWT land will remain federal and GNWT property unless no longer needed (for example, if an RCMP station is no longer in use, then perhaps that land will be transferred to the public government). Privately owned lands will not be transferred to the new community government.

In the fall of 2004, the lands working group spent time in Déline to better understand the specific Déline lots. To be specific, the working group went into the community to do a "ground truthing exercise" to verify the land information and stated interests of the governments. Clarrissa Richarson felt the meeting was very positive for the project, commenting, "Meeting with Déline's community members helped us to experience first-hand what land issues Déline is dealing with. For example, as we walked the whole town, we got a chance to see exactly who lived in which house, which lots were vacant or had new buildings on them, which lots had multiple buildings, and more. The community was really eager to help us with our questions and to tell us the history of the particular land lots."

After the inventory is collected and recorded, the lands working group will work together to make sure that all of the land is mapped and recorded in official documents.

This photo of the Sahtu Secretariat Inc. and Sahtu Dene Council building was taken while the working team was in Déline. It is in this building where the important self-government decisions and negotiations are held.

PROFILE - Kevan Flood

Kevan Flood, Sahtu Chief Federal Negotiator

For twelve years, Kevan Flood has been dedicated to self-government negotiations in the NWT. Kevan has held the role as DIAND's Chief Federal Negotiator in the Sahtu region for six years and before that he was involved with the Beaufort-Delta process. Come this winter, Kevan plans to retire and to travel Canada by motorcycle. We caught up with Kevan, and asked him a few questions about his time at the negotiating table and in the Sahtu communities.

Biggest challenge?

The very steep learning curve necessary when moving from table to table. Each First Nation has it's own unique cultural values, history and interests that they are trying to advance at the negotiations. I have been very fortunate in having had countless numbers of people in Déline and Tulita who have had the patience to teach me what I needed to know to understand their interests, how they evolved and how they may be reconciled with federal and other interests to get agreements that are acceptable to all parties.

Biggest accomplishment?

No question, my most significant accomplishments have been the successful negotiation of the *Déline Self-Government Agreement-in-Principle*, the *Canada/Déline Uranium Table Action Plan* and the *Tulita Self-Government Framework Agreement*.

Most memorable moments?

Probably my first day in Déline--walking about the community, I found my way to the "Prophet's House", which was perhaps the most spiritually significant place in the community. I had no idea of that, of course, but it was obviously an important place. I found myself sitting on the front steps of the building, looking out over Great Bear Lake and thinking that life sure does take some strange turns that brings a prairie-born lad to the NWT to negotiate with the people of Déline. It was a perfectly beautiful day, late on a summer's evening with the sun still high in the sky (new to me), and I thought: "I must be here for a reason but I'll be darned if I know what it is!"

Greatest thrill?

Being asked to be Godfather to Danny Gaudet's daughter, Faith. Faith is such a sweetheart she makes you believe in the other two: Hope and Charity.

Greatest satisfaction?

Working with so many gifted people on the Federal Team. It would be nice to think that the negotiator is this big deal, but no negotiator can function, let alone succeed, without a really good team. I've been privileged to work with the best!

Thank you Kevan for all of your hard work and good luck in your future endeavours!

The Tulita Signing

On March 16, 2005, representatives for the Tulita Yamoria Community Secretariat, the Government of Canada and the Government of the Northwest Territories signed the Framework Agreement for the Tulita Self-Government process.

Tulita Dene Band Chief Frank Andrew and Ethel Blondin-Andrew, Minister of State for Northern Development, sign the Tulita Self-Government Framework Agreement.

The opening prayer song was given by the community Elders, John B. Etchinelle, Maurice Mendo, and Victor Menacho are seen drumming here.

Norman Yakeleya was the first Self Government Chief Negotiator for Tulita Yamoria Community Secretariat. He is currently the MLA for the Sahtu region.

Tulita Chief Frank Andrew welcomed the visitors and congratulated the Sahtu Dene and Metis of Tulita.

DIAND Minister, Andy Scott is joined by Premier Joe Handley in the signing of the Tulita Self-Government Framework Agreement.

DIAND Minister Andy Scott, Premier Joe Handley, and the President of Fort Norman Metis Land and Financial Corporation, Eddie McPherson, at the signing table.

Photos by Jarvis Gray,
Indian and Northern Affairs Canada

"It gives me great pleasure to be here today for this joyous event," spoke Honourable Ethel Blondin-Andrew, Minister of State for Northern Development. "Tulita, where the waters meet, is now a place where cultures commingle; a community where Dene and Métis are united by a common desire for self-government. The name chosen for the Secretariat that represents the two peoples honours Yamoria, a heroic icon of Dene culture. May the strength of Yamoria live on in this community and empower today's agreement."

HONOURABLE ETHEL BLONDIN-ANDREW, MINISTER OF STATE FOR NORTHERN DEVELOPMENT

The *Tłı̨chǫ Act's* Royal Assent

continued from page 1

the first opportunity for Members of the committee to propose amendments. In the case of the Tłı̨chǫ Bill, no amendments were proposed or made.

The Bill

The Bill was then reported back to the House of Commons. At this point the House reviews the committee's work on a Bill and allows all Members of the House to propose further amendments. Since there were no amendments proposed on Bill C-14, the House proceeded immediately to Third Reading of the Bill.

Third Reading

The Third Reading is the Bill's final consideration by the House of Commons before it is sent to the Senate. Bill C-14 was passed during Third Reading. Members gave a standing ovation to the Tłı̨chǫ who were in the gallery to witness the event. It was an emotional milestone, but the Tłı̨chǫ Bill was still only half way through the process.

Next came the Senate, where Bill C-14 also went through a First Reading, Second Reading, Committee Stage, Report Stage and Third Reading. Why the similar process again? Because the Senate is considered to be the place of "sober second thought." Many Tłı̨chǫ flew to Ottawa to witness the final stages of the legislative process. The Senators who were on the Senate Committee on Aboriginal Peoples commented on the perseverance and dedication of the Tłı̨chǫ people to see the process through.

After more than 12 years of hard work and dedication through negotiations, this Act will give legal effect to the Tłı̨chǫ and empowers the Tłı̨chǫ people's confidence and enthusiasm to face their future.

After the Bill received its third reading in the Senate, the Tłı̨chǫ rejoiced in the foyer of the Senate. Various Senators, Minister Andy Scott, Minister Ethel Blondin-Andrew, and many more, all joined the Tłı̨chǫ for a traditional tea dance. Those celebrating witnessed a dream become a reality.

Royal Assent

Royal Assent came a few days later as Madam Justice Marie Deschamps, acting for Governor General Adrienne Clarkson, signed the document which officially enacts the Bill as a law of Canada.

And so the *Tłı̨chǫ Act* completed its successful journey through the federal legislative process on February 15, 2005. After more than 12 years of hard work and dedication through negotiations, this Act will give legal effect to the Tłı̨chǫ and empowers the Tłı̨chǫ people's confidence and enthusiasm to face their future.

After the Bill received its third reading in the Senate, the Tłı̨chǫ rejoiced in the foyer of the Senate. Bertha Rabesca-Zoe, John B. Zoe, Ernie Smith, Bill Erasmus (AFN Vice Chief), and Virginia Lamouelle joined the many others in a traditional tea dance. Those celebrating witnessed a dream become a reality.

You were asking...

Q What is a Bill?

A *Bill is a draft of a legislative proposal which is introduced into the House of Commons. When it has been passed by the House of Commons and the Senate, and assented to by the Governor General, it becomes a law.*

Do you have a question about land or self-government negotiations in the NWT? We'd be happy to provide an answer. Contact us at the address listed below.

On the Web

Government of Canada programs and services
Government of Canada site:
www.gc.ca

DIAND
Northwest Territories Region site:
www.nwt-tno.inac-ainc.gc.ca

Youthbuzz on the NWT:
www.nwt-tno.inac-ainc.gc.ca/Youthbuzz

Agreements
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/pr/agr/index_e.html

Plain Talk *on the web*
Indian and Northern Affairs Canada site:
www.ainc-inac.gc.ca/nt/pt/index_e.html

OUR VISION

The NWT region of DIAND is a respected partner in a strong and healthy Northwest Territories.

We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

Got something to say?

Here's who to contact:

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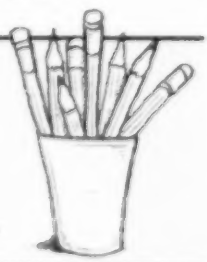

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